REMARKS

Status Of Application

Claims 1-16 and 18-20 are pending in the application; the status of the claims is as follows:

Claims 1-16 and 18-20 are rejected under 35 USC § 103(a) as being unpatentable over the combination of U.S. Patent No. 5,768,483 to Maniwa et al. (hereinafter "the Maniwa patent") and U.S. Patent No. 5,467,434 to Hower, Jr., et al. (hereinafter "the Hower patent").

Claim Amendments

Claims 1, 11, and 16 have been amended. No new matter was added.

35 U.S.C. § 103(a) Rejection

The rejection of claims 1-16 and 18-20 under 35 U.S.C. § 103(a), as being unpatentable over the combination of the Maniwa patent and the Hower patent, is respectfully traversed based on the following.

Claim 1 is directed to a device for selecting a network-connected image forming apparatus from a plurality of network-connected image forming apparatuses, where each of at least two of the plurality of image forming apparatuses has a specific mode. The device comprises:

> a controller for selecting one of the plurality of image forming apparatuses connected with the network,
> wherein **when an input job has a specific mode, said controller selects an image forming apparatus which has a specific mode and which stores a prior job having the specific mode of the input job at the time the selection is made,**
> and said controller for registering the input job in the selected image forming apparatus.

Emphasis Added.

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Claim 1 requires that the controller select an image forming apparatus **which has a specific mode** and which **stores a prior job having the specific mode of the input job** at the time the image forming apparatus is selected.

As acknowledged in the Office Action, **Maniwa does not teach MFS.NLM** of the server selects an image forming apparatus which has the specific mode of the input job and which stores a prior job having the specific mode of the input job. Office Action dated November 7, 2001, at page 3. Therefore, claim 1 is not obvious with respect to the Maniwa patent.

Hower is directed to a printing system and discloses that the combination examiner 37 compares the **printer properties** corresponding to the **printer profiles** with the user selected print job selections and transmits the combination of print job selections to one of the plurality of printers associated with the selected one of the printer profiles when the combination of print job selections corresponds with the combination of printer properties available at the selected printer. The user is provided with a selection of print queues. Each print que is mapped to one of the printer profiles which includes a list of printer properties which are arranged advantageously to describe the combinations of print job selections available at a selected one of the printers. Column 4, lines 13-40. **The printer profiles are composed of distinct segments of information: a set of descriptions of printing media available, a set of rules which describe the allowed ranges and interactions between media description parameters for the associated printer; and a set of rules which describes the finishing formatting and output capabilities of the associated printer.** Column. 5 lines 10-21. The combination examiner compares a combination of **user input print job selections** with a combination of **printer properties** in the printer profiles. Column. 4, lines 49-55. That is to say, the device of Hower compares the user provided print selections with the properties of the printer's **printing capabilities.** Hower does not teach or suggest a controller for selecting one of the plurality of image forming apparatuses connected with the network, wherein **when an input job has a specific mode, said controller selects an image forming apparatus which has a specific mode and which stores a prior job having the specific mode of the input job**

at the time the selection is made. That is to say, Hower does not teach or suggest selecting a printer based on whether a particular type of print job is stored in the memory of the printer. Instead, Hower teaches that a printer is selected based on the print capabilities (printer properties stored in the printer profile) of a particular printer compared with the user determined criteria of the print job. Therefore, claim 1 is not obvious with respect to the Hower patent.

Further, there is no motivation or suggestion to combine the two references. Neither would a combination of the two references provide the invention of claim 1. Accordingly, claim 1 is not obvious with respect to either the Maniwa patent or the Hower patent, either singly or in combination. As claims 2-10 and 18 depend either directly or indirectly from non-obvious independent claim 1, they too are not obvious with respect to either the Maniwa patent or the Hower patent, either singly or in combination.

Claim 11 is directed to an image forming apparatus connected with a network through a network controller. The image forming apparatus comprises:

> a memory for storing jobs;
> discriminating means for discriminating **whether any of the jobs stored in the memory has a specific mode in order to determine a status of the memory**; and
> reporting means **for reporting the status of the memory** to the job management device such that the job management device can determine whether or not to route an input job having a specific mode to the image forming apparatus **based on whether any of the jobs stored in the memory has the specific mode of the input job**.

Emphasis Added.

Claim 11 requires that a discriminating means discriminate whether any of the jobs stored in the memory has a specific mode and that a reporting means report the status of the memory (i.e., whether any of the jobs stored in the memory has a specific mode) such that a job management device can determine whether or not to route an input job having a specific mode to the image forming apparatus based on whether any of the jobs stored in the memory has the specific mode of the input job.

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As acknowledged in the Office Action dated November 7, 2001, at page 5, **Maniwa does not teach** MFS.NLM of the server to determine whether or not to route an input job to the selected printer. Therefore, claim 11 is not obvious with respect to the Maniwa patent.

Hower does not teach or suggest that a discriminating means discriminate **whether any of the jobs stored in the memory has a specific mode** or that a reporting means report **whether any of the jobs stored in the memory has a specific mode** such that a job management device can determine whether or not to route an input job having a specific mode to the image forming apparatus **based on whether any of the jobs stored in the memory has the specific mode of the input job**. To the contrary, Hower teaches that a printer is selected based on the printer capabilities (i.e., the printer properties stored in the printer profile) of a particular printer compared with the user determined criteria of the print job. Therefore, claim 11 is not obvious with respect to Hower.

Further, there is not motivation or suggestion to combine the two references nor would such a combination provide the invention of claim 11 of the present application. Accordingly, claim 11 is not obvious with respect to Maniwa or Hower, either singly or in combination. As claims 12-15 and 19 depend either directly or indirectly from non-obvious independent claim 11, they too are not obvious with respect to Maniwa or Hower, either singly or in combination.

Claim 16 is directed to a network system comprising:

> a network for transmitting data;
> a plurality of image forming apparatuses connected with said network and each of the plurality of image forming apparatuses having a memory for storing jobs;
> **discriminating means for discriminating a status of the memory based on whether the memory stores a job having a specific mode;**
> **reporting means for reporting to the network the status of the memory of any of the plurality of image forming apparatuses whose memory stores a job having a specific mode; and**

> a control device for selecting one of said plurality of image forming apparatuses connected with the network and for registering an input job in the selected image forming apparatus,
> **wherein when said input job has a specific mode, said control device selects an image forming apparatus whose memory stores a job having the specific mode of the input job.**

Emphasis Added.

Claim 16 is directed to a network system and requires a plurality of image forming apparatuses ... ' having a **discriminating means for discriminating a status of the memory based on whether the memory stores a job having a specific mode**; and a **reporting means for reporting to the network the status of the memory of any of the plurality of image forming apparatuses whose memory stores a job having a specific mode.** Further, the network system comprises a control device for selecting **an image forming apparatus wherein when the input job has a specific mode, the control device selects an image forming apparatus whose memory stores a job having the specific mode of the input job.**

Neither Maniwa nor Hower teaches or discloses a network system which requires a plurality of image forming apparatuses each having a discriminating means for discriminating **a status of the memory based on whether the memory stores a job having a specific mode**; and a reporting means for reporting to the network **the status of the memory of any of the plurality of image forming apparatuses whose memory stores a job having a specific mode.** Further, neither Maniwa nor Hower teaches or discloses a network system comprising a control device for selecting **an image forming apparatus wherein when the input job has a specific mode, the control device selects an image forming apparatus whose memory stores a job having the specific mode of the input job.** Therefore, claim 16 is not obvious with respect to Maniwa or Hower.

Further, there is no motivation or suggestion to combine the two references, nor would a combination of the two references provide the invention of claim 16. Therefore, claim 16 is not obvious with respect to Maniwa or Hower, either singly or in combination.

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As claim 20 depends directly from non-obvious independent claim 16, it too is not obvious with respect to Maniwa or Hower, either singly or in combination.

Accordingly, it is respectfully requested that the rejection of claims 1-16 and 18-20 under 35 U.S.C. § 103(a), as being unpatentable over the combination of the Maniwa patent and the Hower patent, be reconsidered and withdrawn.

CONCLUSION

Wherefore, in view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

This Amendment does not increase the number of independent claims, does not increase the total number of claims, and does not present any multiple dependency claims. Accordingly, no fee based on the number or type of claims is currently due. However, if a fee, other than the issue fee, is due, please charge this fee to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260.

If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee,

and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

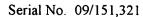Respectfully submitted,

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APPENDIX

VERSION WITH MARKINGS TO SHOW CHANGES MADE

The following is a marked-up version of the changes to the claims which are being RECEIVED
made in the attached response to the Office Action dated November 7, 2001.

IN THE CLAIMS:

1.   (Three Times Amended) A device for selecting a network-connected image forming apparatus from a plurality of network-connected image forming apparatuses, where each of at least [one] two of the plurality of image forming apparatuses has a specific mode, the device comprising:

a controller for selecting one of the plurality of image forming apparatuses connected with the network,

wherein when an input job has a specific mode, said controller selects an image forming apparatus which has [the] a specific mode [of the input job] and which stores a prior job having the specific mode of the input [job,] job at the time the selection is made, and

said controller for registering [registers] the input job in the selected image forming apparatus.

11.   (Three Times Amended) An image forming apparatus connected with a job management [network] device through a network[controller], said image forming apparatus comprising:

a memory for storing jobs;

discriminating means for discriminating whether any of the jobs stored in the memory has a specific mode in order to determine a status of the memory; and

reporting means for reporting the status of the memory to the [network controller] job management device such that the [network controller] job management device can determine whether or not to route an input job having a specific mode to the image

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forming [apparatus.] <u>apparatus based on whether any of the jobs stored in the memory has the specific mode of the input job.</u>

16.   (Three Times Amended) A network system comprising:

a network for transmitting data;

a plurality of image forming apparatuses connected with said network and each of the plurality of image forming apparatuses having a memory for storing jobs;

discriminating means for discriminating a status of the memory based on whether the memory stores a job having a specific mode;

reporting means for reporting to the network the status of the memory of any of the plurality of image forming apparatuses whose memory stores a job having [the] <u>a</u> specific mode; and

a control device for selecting one of said plurality of image forming apparatuses connected with the network and <u>for</u> registering an input job in the selected image forming apparatus,

wherein <u>when said input job has a specific mode,</u> said control device selects an image forming apparatus <u>whose memory stores</u> [storing] a job having the specific mode [when] <u>of</u> the input job<u>.</u> [has the specific mode.]

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